

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

IN RE: ELECTRONIC SUBMISSION OF
NDOC PRISONER DOCUMENTS

FOURTH AMENDED GENERAL ORDER
NO. 2012-01

Since February 19, 2013, the United States District Court for the District of Nevada (“Court”), the Nevada Department of Corrections (“NDOC”), and the Office of the Attorney General of the State of Nevada have participated in an electronic filing project designed to reduce the cost of processing filings from incarcerated people in cases filed pursuant to 42 U.S.C. § 1983—under General Order No. 2012-01. This order makes that electronic filing process mandatory. The terms of the e-filing project are described below.

1. Electronic filing of filings by incarcerated people in civil rights cases was implemented at Northern Nevada Correctional Center (“NNCC”) in 2013, at Lovelock Correctional Center (“LCC”) in 2015, and on April 1, 2020 at both Ely State Prison (“ESP”) and High Desert State Prison (“HDSP”).
2. All filings by incarcerated people in NDOC’s custody in all federal cases before this Court, including civil rights and habeas corpus cases, must be filed electronically beginning no later than January 1, 2022, excluding filings from rural NDOC camps.
3. NDOC will be provided with free Public Access to Court Electronic Records (“PACER”) accounts for use by the law librarians who become registered users.

- 1 4. NDOC will scan to PDF and transmit electronically to the Court all
2 documents presented by incarcerated people for filing with the Court. The
3 original documents will be returned to the incarcerated person. All
4 documents submitted for filing by incarcerated people in NDOC facilities will
5 be emailed to the Court in PDF format and in accordance with NDOC
6 procedures therefor.
- 7 5. The Court will receive and file the incarcerated peoples' documents
8 electronically. After traditional service of the incarcerated person's
9 complaint and appearance by an opposing party, electronic transmission of
10 the filed document to opposing parties who are registered users of the
11 Court's electronic filing system constitutes service of the hyperlinked
12 document for purposes of Rule 5(b)(3) of the Federal Rules of Civil
13 Procedure. The incarcerated person must mail a copy of their electronically
14 filed documents to non-registered users.
- 15 6. Each NDOC facility, excluding rural NDOC camps, will establish an email
16 address for receipt of electronically-filed documents. NDOC staff will print
17 the electronic transmission receipt, the hyperlinked order, and other
18 documents filed by the Court. Receipt of copies of the receipt and
19 hyperlinked documents by the incarcerated person constitutes service of
20 the document on the incarcerated person. If the incarcerated person refuses
21 delivery or is no longer at a particular NDOC facility, NDOC will indicate the
22 reason for non-delivery on the transmission receipt and email it to the Court.
- 23 7. Opposing parties who are registered users of the Court's electronic filing
24 system will serve filings on NDOC prisoners through the Court's electronic
25 filing system. NDOC staff will print and provide to incarcerated people both
26 the electronic receipts and the hyperlinked documents filed by opposing
27 parties.

The Court has evaluated the e-filing project and determines it should be continued permanently at all NDOC facilities, excluding rural NDOC camps. It is therefore ordered that the e-filing project—as outlined above—is now mandatory at NDOC facilities that have already implemented it, and will become mandatory at other NDOC facilities on the schedule stated above.

DATED THIS 8th day of April 2020.


MIRANDA M. DU
CHIEF JUDGE, UNITED STATES
DISTRICT COURT FOR THE DISTRICT
OF NEVADA